

Joint Committee on Ways and Means

Carrier – House: Rep. Dembrow
Carrier – Senate: Sen. Shields

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do Pass the A-Engrossed Measure as Amended and Be Printed B-Engrossed

Vote: 17 – 6 – 1

House

Yeas: Barker, Buckley, Cowan, Edwards, Jenson, Komp, Kotek, Nathanson

Nays: Garrard, Gilman, Richardson

Exc: G. Smith

Senate

Yeas: Bates, Courtney, Edwards, Johnson, Monroe, Nelson, Shields, Verger, Winters

Nays: Girod, Kruse, Whitsett

Exc:

Prepared By: Sheila Baker, Legislative Fiscal Office

Meeting Date: February 18, 2010

WHAT THE MEASURE DOES: Specifies intent of measure. Modifies and creates definitions related to home care services to provide workers' compensation to certain workers beginning January 1, 2011, and makes such workers eligible for representation and collective bargaining. Includes workers who receive compensation from Department of Human Services (DHS), area agencies on aging or other public agencies ("agencies") who: 1) are hired by an elderly person or person with a disability or by a parent/guardian of such a person; 2) receive money from DHS to provide care; 3) are funded in whole or part by the agencies; and, 4) provide hourly or live-in home care services in the home or in the community. Effective October 1, 2010, requires agencies to collect names and other information pertaining to those individuals. Requires DHS to keep and maintain information until July 1, 2013. Requires inclusion of names and other information in registry maintained by Commission on or after July 1, 2013. Requires Home Care Commission to create an eight-member Developmental Disabilities and Mental Health Committee, and outlines duties. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Recommended amendment
- Potential future fiscal impact

EFFECT OF COMMITTEE AMENDMENT: Clarifying language to reflect current existence of the Home Care Commission and remove meaningless modifier for the Department of Human Services as the single state Medicaid agency.

BACKGROUND: In 2000, Oregon voted to amend the State Constitution to create the Home Care Commission (HCC). The Commission is responsible for ensuring the quality of home care services funded by the Department of Human Services for seniors and people with disabilities. Many providers of services in programs such as the Client Employed Provider Program, Oregon Project Independence, Spousal Care Program and some Personal Care Services providers are covered by the HCC, but other care providers, such as those serving medically fragile children or people with developmental disabilities or mental illness, typically are not under the HCC.